

Statement of Chairman Charles E. Schumer -- Rules Committee Hearing – May 13, 2009
Problems for Military and Overseas Voters: Why Many Soldiers and Their Families Can't Vote

I would like to thank my friend, Committee member Ben Nelson, who is also the Chairman of the Armed Services Subcommittee on Personnel and Readiness, for his participation in this hearing.

Every couple of years, especially on those years ending in even numbers — around election time, there is a large push to improve the process of military voting. However, as soon as the election is over, all too often, Congress forgets to continue the push for improved rights for military voters.

Let me say something clearly so everyone can hear it: Not this year. I have convened this hearing to uncover some of the major problems facing military and overseas voters.

Registration deadlines, notary requirements, lack of communication, mail delays, poor address information, and state laws that put in place untenable mailing dates are all severe problems.

We need to actively evaluate these problems, so that we can work in a bipartisan way to find solutions to these problems.

And today, we will hear about several studies that show how severe this problem is. One of those is a new study I commissioned from the Congressional Research Service.

While the 2008 Election Assistance Commission post-election report will be released a number of months from now, I wanted to see right now an initial snapshot of how voting went in the states with the largest number of military voters during the 2008 election.

I asked the Congressional Research Service to contact some of the largest military voting states and get initial data on the number of overseas ballots requested and the number of overseas ballots that were eventually counted. We were able to get preliminary data in advance of the complete survey to be released later this year.

These data show that in these states, up to 27% of the ballots requested by military and overseas voters were not counted. And those are just the voters who were actually able to get their requests for ballots answered. Studies from previous elections show that military and overseas voters have one of the lowest levels of recorded votes of all groups – because it is so hard for them to vote.

Additionally, as you can see from the chart behind me, 63 percent of local election officials reported receiving completed ballots *after* the deadline had passed.

This problem is compounded when 39 percent of military and overseas voters receive their ballots too late to return them in time. This number, from this past election, is up 14 percent from 2006. The situation is not getting better.

It is unacceptable that in the age of global communications, many active military, their families, and the thousands of other Americans living, working, and volunteering in foreign countries cannot cast ballots at home while they are serving overseas.

Imagine the frustration that soldiers feel when they're stationed in Iraq or Afghanistan and when their ballot finally arrives it's too late. They can fight and put their life on the line for their country, but they can't choose their next commander-in-chief.

To put a human face on these numbers, I want to share a letter describing some true stories reported to the Overseas Vote Foundation during the 2008 election:

One military voter wrote: "I submitted two registration forms via standard mail in January 2008 to Texas and received no confirmation that my registration form was received or processed. I did not receive ballots for the primaries or the general election."

Another soldier, this one from Alaska, said: "I hate that because of my military service overseas, I was precluded from voting. Of all people, deployed service members should have a guaranteed ability to vote in the presidential election. The state simply made it impossible for me to vote."

One final voter was able to get a ballot, but was unsure whether it was ever counted: "I called my hometown voting office to get assistance. Every time I called, they told me something different. I ended up doing three different things just to get my ballot and then I sent it in a week before the deadline...I'm hoping that my vote was counted."

In each of these stories, you can hear the effort these service men and women made to vote – calling several times, submitting their ballots early. But to no avail.

This is unacceptable and something we should not let continue.

We are here today to learn more about the source of these problems.

First, we will hear from the Acting Undersecretary of Defense for Personnel and Readiness. I understand that the Federal Voting Assistance Program is undergoing a period of transition, and that it is currently operating under an Acting Director. Senator Ben Nelson and I have sent a letter to Under Secretary McGinn, one of our witnesses here today, urging that a new Director be put in place as soon as possible. We look forward to working with the Department of Defense closely to improve the whole process.

We sent that letter to make it clear for the record that we believe that an effective Federal Voting Assistance Program is something that is very important to Members of Congress, and that we

want to work closely with the new Director to ensure that he or she receives the support from our respective Committees as well as Congress.

The leadership at the Department of Defense needs to use every available resource to increase the number of military voters who register, vote, and have that vote counted. This needs to be accomplished through a true assessment of the problems, and an innovative approach to structuring voting assistance, improving technology, and informing Congress and the states what laws need to be reformed to make it easier for these soldiers and their families to vote.

There are a number of ways that the military can work to improve the voting rights of members of the armed forces. Recently, I requested that President Obama work with the Department of Veterans Affairs to provide voter registration support to the veterans they serve.

Currently, the only federal offices that are required by statute to provide an opportunity to register and vote are the Armed Services Recruitment Centers. I'm interested in finding out more about how that program works, and whether it is successful.

I must mention one more of our witnesses as I wind down my opening remarks.

I'd like to thank Lieutenant Colonel Joseph DeCaro, from Florida, who is taking a very short leave from his duties with the Air Force, and is willing to speak about the difficulties he has faced as a member of the Air Force stationed overseas and trying to vote. Lt. Col. DeCaro, I appreciate your service, and I hope you know that you are performing an important service by telling your story here today.

A final, personal note – while we will hear from members of the armed forces who have encountered difficulties trying to vote, I found out that you don't have to look far to find these problems.

An intern in my Buffalo, New York office, Lisa Wickman, is a veteran, who was on active duty in the Navy from 2001 to 2006. She was stationed in Guam and was on shore duty during the 2004 election. Her problem was that she wanted to vote, but didn't know she had to vote absentee.

Despite weekly updates on a series of other important matters, her officers never gave her or her fellow sailors information about how to vote.

That shouldn't happen – not in the United States of America, where elections are the bedrock of our political system. Members of the armed services should receive accurate, timely information and the logistical support they need to make it easy for them to vote.

I look forward to hearing from all of you.